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April 10, 2023

Via ECF

Hon. Paul G. Gardephe, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: USA v. Stuart Finkelstein
Docket No. 21-Cr-217 (PGG)

Dear Judge Gardephe:

I represent Mr. Finkelstein in the above matter. Sentencing is set for April 26, 2023 at 2 PM. I am respectfully requesting an adjournment of sentencing. As noted in previous requests, Mr. Finkelstein has a number of serious medical issues and is currently receiving treatment for them. He is still awaiting medical clearance for back surgery to repair herniated discs in his lumbar and thoracic spine: because his blood sugar is still not under control, despite several medication changes, his neurologist has not yet cleared him for surgery. Mr. Finkelstein also suffers from hypertension, which is being treated with Losartan (the Losartan also helps prevent complications from his diabetes medication).

He has appointments scheduled for April 21, 2023 for follow-up consultations regarding surgeries for his left shoulder and left knee. Those injuries, and the spinal injuries, resulted from his recent car accident. In addition to the surgical issues caused by the car accident, Mr. Finkelstein also suffered broken teeth; he is still working with his oral surgeon on those repairs as well.

Hon. Paul G. Gardephe, United States District Judge

April 10, 2023

Page 2

Given Mr. Finkelstein's serious and ongoing medical issues, I am respectfully requesting an adjournment of sentencing until mid-June. The Government has no objection to this request.

Thank you for your consideration in this matter.

Very truly yours,



David K. Bertan, Esq.

cc: AUSA Rushmi Bhaskaran (via ECF)